

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
SHARIFUL MINTU, :
:
Plaintiff, :
: 22-CV-2065 (VSB)
-against- :
: **ORDER**
ALEJANDRO MAYORKAS, et al., :
:
Defendants. :
:
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VERNON S. BRODERICK, United States District Judge:

On July 1, 2022, I ordered Pro se Plaintiff to file an affidavit of service on or before July 21, 2022, or otherwise risk dismissal of the action pursuant to Federal Rule of Civil Procedure 4(m). (Doc. 9.) I reminded Plaintiff that, even though Plaintiff is proceeding pro se and has been granted *in forma pauperis* status, it is Plaintiff's duty to ensure that the U.S. Marshals complete service of all Defendants. *See, e.g., Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (affirming the dismissal of a pro se plaintiff's case because she failed to request an extension of time for the Marshals to effect service); *cf. 5 Dickerson v. Napolitano*, 604 F.3d 732, 752 (2d Cir. 2010) ("When a defendant moves to dismiss under Rule 12(b)(5), the plaintiff bears the burden of proving adequate service." (internal quotation marks omitted).) That deadline has now passed, and Plaintiff has not filed an affidavit of service or informed me of any attempts to complete service.

Accordingly, it is hereby:

ORDERED that Plaintiff file an affidavit of service on or before August 12, 2022.

Plaintiff's failure to file an affidavit of service by that date will result in dismissal of the action

pursuant to Rule 4(m).

SO ORDERED.

Dated: July 29, 2022
New York, New York

A handwritten signature in black ink, appearing to read "Vernon S. Broderick". The signature is fluid and cursive, with "Vernon" on top and "S. Broderick" below it.

Vernon S. Broderick
United States District Judge